

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROCHELLE HAMS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. 2:15-CV-01455-MJP-DWC

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

The District Court has referred this action, filed pursuant to 42 U.S.C. § 405(g), to United States Magistrate Judge David W. Christel. Presently before the Court is Defendant's Stipulated Motion for Remand. Dkt. 20. After reviewing Defendant's Stipulated Motion and the relevant record, the Court recommends the following:

Defendant's Motion be granted, and the case be reversed and remanded for further administrative proceedings under sentence four of 42 U.S.C. § 405(g).

On remand, the Court recommends the Appeals Council:

- Prepare an allowance as of Plaintiff's 55th birthday;

- Remand the case to an Administrative Law Judge for consideration of Plaintiff's disability prior to her 55th birthday.

The parties agree that on proper motion the Court should consider Plaintiff's application for costs and attorney fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

Given the facts and the parties' stipulation, the Court recommends the District Judge immediately approve this Report and Recommendation.

Dated this 21st day of March, 2016.



David W. Christel
United States Magistrate Judge